

CUSTOMER NUMBER

25268

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

Application Number	10/672,274
Filing Date	September 24, 2003
First Named Inventor	Christopher C. Toly
Group Art Unit	3714
Examiner Name	Hadizonooz, Banafsheh
Attorney Docket No.	SIMU0008
Confirmation No.	9373

For Electronic Filing

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

X 1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Currently Submitted

- i. X Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other _____

X 2. Request for Extension of Time

Applicant respectfully requests that the shortened statutory period for response to the Office Action dated May 23, 2007, set to expire on August 23, 2007, be extended by 3 months to expire on November 23, 2007. The \$525 small entity fee is submitted herewith.

X 3. Request for Constructive Petition for Extension of Time

It is requested that any concurrent or future reply submitted in the present application requiring a petition for an extension of time under 37 CFR 1.136(a)(3) for timely submission be treated as incorporating a petition for extension of time for the appropriate length of time. It is also requested that any additional required fees under § 1.17, including all required extension of time fees, be charged to Deposit Account No. 01-1940, thereby constructively petitioning for any necessary extension of time to maintain the present application in a pending state.

X 4. Claim Status

<u>Computation of Fee For Claims as Submitted for filing in RCE</u>					
	<u>Claims Remaining in Application</u>	<u>Highest Number of Claims Previously Paid For</u>	<u>Number of Extra Claims</u>	<u>Rate</u>	<u>Fees</u>
Total Claims	27	48	0	x \$25	\$0
Independent Claims	7	8	0	x \$105	<u>\$0</u>
ADDITIONAL CLAIM FEE					\$0
EXTENSION OF TIME FEE					\$525
RCE FEE					\$405
TOTAL ADDITIONAL FEE FOR THIS RCE SUBMISSION					<u>\$930</u>

 X 5. **Fees** The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

a. X The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1940.

- i. RCE fee required under 37 CFR § 1.17(e)
 ii. Extension of time fee (37 CFR §§ 1.136 and 1.17)
 iii. X Any additional required fees
 iv. Other _____

b. X Fees are to be charged to a credit card during electronic submission.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Typed/Printed Name Michael C. King

Registration Number: 44,832

Signature /mike king/

Date: November 21, 2007